

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION *E-FILED - 12/7/05*

UNITED STATES OF AMERICA,)	No. CR 05-00288 RMW
)	
Plaintiff,)	ORDER CONTINUING
v.)	HEARING
)	
MARIO PONCE,)	
)	
Defendant.)	
_____)	

The parties have jointly requested a continuance of the hearing set for November 21, 2005, on grounds that the defense investigation is ongoing with respect to the felony conviction and deportation order that provided grounds for Mr. Ponce's removal from the United States.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date presently set for November 21, 2005, be continued to Monday, January 9, 2006, at 9:00 a.m.

Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from November 21, 2005, to January 9, 2006, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

Dated: 12/7/05

/S/ RONALD M. WHYTE

RONALD M. WHYTE
United States District Judge